

MINUTES – APRIL 18, 2005

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, April 18, 2005. Members present: Nathaniel Hall, Chairman, George W. Ward, Jr., Vice-Chairman, Larry G. Hamlett, Jack W. Hooper, Jeremiah Jefferies, Kenneth D. Travis, and C. Hester Vernon, III. Also present: Jeffrey H. Earp, County Manager, Robert V. Shaver, Jr., County Attorney, Gordon Bendall representing The Caswell Messenger, and Lauren Chesnut representing The Danville Register & Bee. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Hall opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the agenda as presented.

Commissioner Vernon requested that Caswell Broadband Foundation be added to the agenda before County Manager's Report.

Upon a vote of the motion, with the addition of Caswell Broadband Foundation, the motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Ward moved, seconded by Commissioner Travis to approve the Consent Agenda as presented. The motion carried unanimously.

The following items were included on the Consent Agenda:

1. Approval of Minutes of March 21, 2005 Special Meeting

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

Mr. Melvin Butler, of the Cherry Grove community, came before the Board and stated that he would like to share with the Board some information about the census. Mr. Butler stated that according to the 2004 census, Caswell County experienced a decrease in population of 0.17%, which means that Caswell County lost 41 people. Mr. Butler noted that according to the Caswell County History Book, Chapter IV, *Before the War*, in 1860 the population was 16,215. Mr. Butler added that presently the population for Caswell County is 23,673. Mr. Butler noted that in that period of time, there has not been much

population increase for Caswell County even though he keeps hearing about the population explosion in Caswell County. Mr. Butler added that the article in the history book also states that in 1846 Caswell ranked 45th in population among the counties, but it was sixth in the value of its land, and also that in 1857 only fourteen other counties paid more taxes into the state treasury than did Caswell.

SHERIFF'S OFFICE

Sheriff Michael Welch came before the Board to request a County match for the pre-approved Drug Enforcement Partnership Funds from the Governor's Crime Commission. Sheriff Welch reported that the Sheriff's Office had applied for two grants from the Governor's Crime Commission and he recently received notification in writing that both grants had been approved for federal funding. Sheriff Welch stated that he was present tonight to request that the Board consider providing local matches for each grant. Sheriff Welch informed the Board that the total operation cost for the first grant would be \$99,008. Sheriff Welch added that the federal funds allocated for the grant totals \$74,256 and the local match would be \$24,752. Sheriff Welch noted that this is a two-year grant that would provide for one position that will be utilized in the Criminal Investigation Division to focus solely on narcotics investigation and organized crime. Sheriff Welch stated that this grant was the result of a partnership that spanned over the past couple of years in working with Pittsylvania County, Virginia and the Alamance County Sheriff's Office.

Sheriff Welch informed the Board that the second grant will provide a total project operation of \$27,840.98, with federal funds being appropriated in the amount of \$20,880.74 with a local match of \$6,960.25. Sheriff Welch stated that this grant will operate on a one year time line and these funds are to be utilized for overtime expenses to provide compensation for deputies to work strictly narcotics investigations.

Upon questioning from Commissioner Hamlett, Sheriff Welch clarified that the first grant has a project time line of two years and will provide one additional person for the Sheriff's Office and will pay that salary for two years. Sheriff Welch stated that the match will be divided between the two years. Sheriff Welch added that contingent upon Board approval, operation for these two projects would begin July 1, 2005. Commissioner Hamlett asked if the County would be responsible for the salaries of the additional personnel after two years and Sheriff Welch confirmed that this was correct.

Mr. Jeff Earp, County Manager, clarified that originally it was reported to him by the Sheriff that there was funding for two positions, when in actuality, it was one position for two years.

Upon questioning from Commissioner Jefferies, Sheriff Welch answered that the total local match for both grants is \$31,712.25 with an overall project operation cost of \$126,848.98. Sheriff Welch noted that the total local match would be divided between the two year period.

Upon questioning from Chairman Hall, the County Manager answered that if approved, the appropriation could come from the current year's Fund Balance or if the funds are committed, they could be appropriated from the 2005-2006 fiscal year budget.

After further discussion, Commissioner Jefferies moved, seconded by Commissioner Travis to approve an appropriation for a local match of \$31,712.25 for the two grants awarded from the Governor's Crime Commission for the Sheriff's Office as presented by Sheriff Welch, with funds to be appropriated from the Fiscal Year 2005-2006 budget. The motion carried unanimously.

BOARD OF EQUALIZATION AND REVIEW

Commissioner Jefferies moved, seconded by Commissioner Travis to recess as the Board of Commissioners and convene as the Board of Equalization and Review. The motion carried unanimously.

Mr. Thomas Bernard, Tax Director, came before the Board and stated that one individual had expressed a desire to appear before the Board of Equalization and Review tonight, but was unable to attend. Chairman Hall stated that at the end of tonight's meeting, the Board of Equalization and Review could recess until their next meeting to hear this individual's request.

Mr. Ramon Luis Roman, of 440 Fieldstone Drive, Reidsville, NC came before the Board concerning the value of his property which consists of 10 acres in the Stoney Creek Township and the value of his house. Mr. Roman stated that he bought the 10 acres of land in 2001 for \$30,000 and bought his house which is a 2000 model double-wide manufactured home in 2005. Mr. Roman added that the current value of his property is \$97,530 and he feels that this is too much. Mr. Roman stated that the land is not worth \$3,000 per acre. Mr. Bernard stated that the 2004 revaluation listed the market value of the 10 acres at \$40,563 and the house is valued at \$56,967. Mr. Roman stated that if someone would come and look at the land, they would see that the value is way too high.

Mr. Wayne Moore, of 199 William Barker Road, Milton, NC came before the Board concerning the value of his 292 acres tract of property. Mr. Moore stated that the value continues to increase on his property for no reason, with the value starting out at \$90,000 and is now listed at \$320,000. Mr. Moore added that nothing has been done to the land and CP&L has a transmission line that is 100 ft. wide running through his property for almost a mile. Mr. Moore stated that there are only two fields on his property that can be walked on without a change in elevation of 60 ft. Mr. Moore added that the Health Department found one spot out of 292 acres that would perk, he has almost 50 acres under water, and he did not feel that his property is worth \$1,200 - \$1,400 per acre. Mr. Moore requested that the Board change the listing and place a fair value on his property.

Chairman Hall announced that the Board would take into consideration the requests made tonight and after review by the County's appraiser, they would make a decision.

Commissioner Ward moved, seconded by Commissioner Hamlett that the Board of Equalization and Review recess until May 2, 2005, and to reconvene as the Board of Commissioners. The motion carried unanimously.

CASWELL COUNTY CRIMINAL JUSTICE PARTNERSHIP

Mr. Matt Reese, of the Piedmont Triad Council of Governments, came before the Board to discuss program development recommendations from the Caswell County Criminal Justice Partnership Advisory Board. Mr. Reese stated that based on the State's formula, Caswell County is eligible to receive \$45,110 in fiscal year 2006 from the North Carolina Department of Correction Criminal Justice Partnership Program to provide treatment and services targeted at criminal offenders and these funds are anticipated to be recurring. Mr. Reese added that these funds must be used for the specific purposes of developing community corrections programs meant to address the cycle of crime recidivism and encourage counties to develop alternatives to traditional incarceration. Mr. Reese stated that the Caswell County Criminal Justice Partnership Board, appointed by the Board of Commissioners, has reviewed this grant and a majority of its members recommend it for submission to the State. Mr. Reese added that the program requires no local allocation or match and is 100% supported through grant funds. Mr. Reese stated that the Advisory Board is proposing a satellite substance abuse treatment program and this is a program where services for offenders such as drug treatment and assessment are contracted out to another entity to provide services. Mr. Reese added that the Advisory Board is further recommending that the Alamance County's Judicial Services office provide assessment and referral of offenders to outpatient treatment services. Mr. Reese requested the Board's approval to submit this grant application to the State.

Upon questioning from Chairman Hall, Mr. Reese clarified that this program is for adults only.

After further discussion, Commissioner Jefferies moved, seconded by Commissioner Ward to accept the recommendation of the Caswell County Criminal Justice Partnership Advisory Board to submit the 2006 fiscal year Criminal Justice Partnership Program implementation grant as presented. The motion carried unanimously.

WAVELENGTH BROADBAND INTERNET

Mr. Lon Lohmiller, representing Wavelength Broadband Internet, came before the Board to present a proposal from Wavelength, a broadband internet provider from Greenville, NC. Mr. Lohmiller stated that Wavelength is a broadband Internet Service Provider that specializes in connecting developing communities and underserved markets to the promise of the new Network Economy. Mr. Lohmiller added that Wavelength offers broadband internet access to businesses, apartments, communities, hotels and residential customers for a monthly service fee. Mr. Lohmiller informed the Board that Wavelength currently provides service to over 2,000 users in multiple eastern North Carolina communities with plans to expand to communities throughout the Southeast. Mr. Lohmiller stated that Wavelength was formed in the fall of 2003 through the common

vision of public and corporate leadership, as a North Carolina Limited Partnership and the company is privately held by a small group of investors with headquarters in Greenville, North Carolina.

Mr. Lohmiller stated that Eastern North Carolina and many developing communities in America, lacks the communications infrastructure necessary to deliver the efficient broadband that is commonplace in more prosperous and populated regions and this is commonly referred to as the “Digital Divide”. Mr. Lohmiller added that regional players are emerging throughout the United States to supply this growing demand for broadband internet access; however, most of these companies focus exclusively on major metropolitan areas or provide broadband services to mid and large sized businesses. Mr. Lohmiller stated that the gap lies in the supply of broadband service to the smaller metropolitan markets and developing communities throughout the United States.

Mr. Lohmiller stated that if the Board is interested in what he has proposed, there is a Letter of Intent that if the Board would sign, would be an agreement that they would work to provide for a public/private partnership to determine how they can deliver broadband internet infrastructure to the community at large. Mr. Lohmiller added that if this was done, an engineering study would be conducted at a cost, after which a business model would be developed.

DISCUSSION OF SCHEDULE

Chairman Hall stated that at the Board’s last meeting, he made a comment about the timing involved in the Planning Board presenting some type of zoning regulations to the Board of Commissioners. Chairman Hall added that Mr. Melvin Butler, Planning Board Chairman, has some strong feelings concerning how long he thinks it will take. The Board reviewed a proposed schedule presented by the NC Department of Commerce, Division of Community Assistance, concerning the time frame for developing a Zoning Ordinance and a proposed schedule submitted by the Planning Board.

Commissioner Hamlett stated that he thought that the County is on the right road and agreed with Mr. Melvin Butler that in looking at zoning, if the Planning Board goes to every location possible, this process will take time. Commissioner Hamlett added that the County already has eight Ordinances that cover a lot of zoning issues and they probably need to be looked at for revision.

Commissioner Ward questioned the status of the current Ordinances on which the Planning Board was working and when they would be ready for the Board of Commissioners to review. Mr. Earp answered that the Ordinances are still with the Planning Board. Mr. Butler stated that he talked to the County Planner concerning this and informed the Board that the Planner is spending approximately 90% of his time on enforcement of the Junkyard Ordinance and the Planning Board is going to need a lot of his time to continue. Mr. Butler added that a lot of these Ordinances have been rewritten and just need additional review by the Planning Board.

In discussing the timeframes submitted, Mr. Butler stated that he would like to start community meetings as soon as possible, but cannot start the community meetings until they get the maps. Mr. Butler added that the Planning Department and Tax Office are currently working to get these maps ready. Mr. Butler stated that as far as the timeframe, he did not want to promise something that he did not feel comfortable with or that he could not fulfill.

RECESS

The Board held a brief recess.

APPOINTMENTS TO BOARDS

Commissioner Ward moved, seconded by Commissioner Travis to make the following appointments. The motion carried unanimously.

E-911 Board

Mr. Clayton W. Myers

Economic Development Board

Mr. Rickey B. Surgeon

Senior Center Advisory Committee

Mr. W. Ervin Miles

Recreation Commission

Ms. Robbin Turner

HCCBG BUDGET ALLOCATIONS – 2005-2006

Ms. Kim Dawkins-Berry, Director, Area Agency on Aging, Piedmont Triad Council of Governments, came before the Board to present and request their consideration of funding recommendations from the Caswell County Planning Committee for Services to the Elderly. Ms. Dawkins-Berry informed the Board that this request is an annual event to come before the Board and discuss funding for Aging Services and these services include the Home Delivered Meals Program, Congregate Nutrition Program, Transportation, In-Home Services, Senior Center, and Outreach. Ms. Dawkins-Berry stated that as far as this year's allocation, due to a new inter-state funding formula imposed by the State, there will be a cut in the amount of funding that Caswell County will receive. Ms. Dawkins-Berry explained the funding formula and noted that after the census came out, it became apparent that the number of older adults in Caswell County had been over projected. Ms. Dawkins-Berry added that the loss in funds to Caswell County would be \$12,354.

Ms. Dawkins-Berry reported that the Caswell County Planning Committee for Services to the Elderly met in March to discuss some of these issues and at that time evaluated the

In-Home Services and issues associated with it for the last few years. Ms. Dawkins-Berry noted that the County's current provider of this program stopped serving older adults in February because they ran out of money. Ms. Dawkins-Berry reported that the Planning Committee decided that given the fact that Caswell County will experience a cut in funds this year as well as next year, that an option would be to use the In-Home Services money which is a \$75,056 grant. Ms. Dawkins-Berry stated that if these funds were used and distributed among the other agencies, then there would be some sort of buffer to the cuts.

Ms. Dawkins-Berry presented and discussed the following recommendations from the Caswell County Planning Committee for Services to the Elderly which would include not funding Maxim Health Care and In-Home Services.

CASWELL COUNTY 2006 FUNDING RECOMMENDATIONS

- I. Do not fund in-home services.
- II. Take the \$12,354 cut from the \$75,056.
- III. Subtracting loss from final 2005 allocation, (\$62,702) distribute the savings in two segments:
 - \$50,000 distributed to each of the four agencies according to the current proportionate %.
- IV. Give the \$12,702 remainder as a one time allocation to the Caswell County Senior Center for needs associated with moving.

After further discussion, Commissioner Hamlett moved, seconded by Commissioner Ward to approve the 2006 Funding Recommendations as submitted by the Caswell County Planning Committee for Services to the Elderly. The motion carried unanimously.

2005-2006 BUDGET DIRECTIVES

Chairman Hall noted that the County Manager had earlier sent out a form asking for comments and guidance from the Board concerning the 2005-2006 Budget Directives.

Upon questioning from Chairman Hall, it was Board consensus that a cost-of-living increase be given to County employees.

Mr. Earp reported that he would bring before the Board a proposal which will include a cost-of-living increase and a pay plan to address other adjustments and inequities in salaries.

Mr. Earp informed the Board that he is awaiting information regarding Medicaid which will greatly impact the proposed budget.

Mr. Earp informed the Board that it is his intent to present to them his proposed 2005-2006 budget for the County on May 23, 2005.

Mr. Earp reported that he would be bringing to the Board on May 2, 2005, his proposal for health insurance, liability and property insurance, and hopefully, worker's comp insurance.

RESCHEDULING OF BOARD'S REGULAR MEETINGS

After discussion by the Board, Commissioner Vernon moved, seconded by Commissioner Ward that the Board's regular monthly meeting held on the third Monday of the month be held at 9:00 a.m. The motion carried by a vote of six to one with Commissioner Hooper voting no.

Commissioner Vernon moved, seconded by Commissioner Hamlett that the Board's new schedule including a day meeting begin with the third Monday in May, 2005. The motion carried unanimously.

CASWELL BROADBAND FOUNDATION

Commissioner Vernon reported that he was appointed as the County Commissioner's representative to the Caswell Broadband Foundation and has recently been approached by Representative Bill Faison to try to move this Foundation forward in order for him to pursue funding for the project. Commissioner Vernon noted that one of the problems the Broadband Foundation has experienced has been getting tax-exempt status for the Foundation and added that there is an Attorney's fee to be paid in the amount of approximately \$2,500. Commissioner Vernon stated that he would like to see the Board approve the payment of this \$2,500 for the Caswell Broadband Foundation in order for Representative Faison to proceed with acquiring funding for the high speed internet. Mr. Jeff Earp, County Manager, clarified that the bill from the Attorney is the result of the preparation of paperwork in order to establish a non-profit organization. Mr. Earp stated that the paperwork has been completed, the non-profit status has been attained, and they are awaiting approval from the Internal Revenue Service to acquire 501C(3) status.

After further discussion, Commissioner Vernon moved, seconded by Commissioner Jefferies that the Board authorize the payment of \$2,500 for legal fees incurred by the Caswell Broadband Foundation.

The Board authorized the County Manager to use his discretion as to from where the \$2,500 is appropriated.

Upon a vote of the motion, the motion carried by a vote of six to one with Commissioner Travis voting no.

COUNTY MANAGER'S REPORT

Mr. Jeff Earp, County Manager, informed the Board that the growth in the County's cost for the Medicaid program has been higher than has been historically experienced. Mr. Earp stated that based on the trends for the first nine months of this fiscal year, it appears very likely that the County will experience a shortfall in both the Medicaid sight draft and the Medicaid transportation budgets in the total amount of \$43,743. Mr. Earp added that he would monitor the status of these budget concerns and keep the Board informed.

Mr. Earp informed the Board that he sent a letter to Representative Bill Faison requesting the status of his acquiring funds for County projects.

Mr. Earp reported that he sent a letter to Mr. Dave Harris, Regional Cable Administrator, Piedmont Triad Council of Governments, and also sent a petition received from a group of local residents in the Semora and Leasburg communities requesting assistance in changing their current CBA affiliate station on Charter Communications Cable Service Network. Mr. Earp stated that Charter currently televises WRAL of Raleigh as their CBS affiliate station and the petitioners are requesting to either change or add WFMY of Greensboro as the CBS affiliate station. Mr. Earp added that when he receives a reply from Mr. Harris, he will pass this information on to the Board.

ANNOUNCEMENTS/QUESTIONS

Commissioner Hooper questioned whether the paving figures for the Bartlett Yancey High School parking lot have been turned in to Representative Faison. Mr. Earp confirmed that the cost figures for the BYHS parking lot paving were relayed to Representative Faison.

Commissioner Hamlett questioned the status of overtime in the EMS Department. Mr. Earp answered that EMS overtime is within the budget line item and is within budget. Commissioner Hamlett questioned the status of the new ambulances. Mr. Earp answered that the County should take receipt of one of the ambulances this week and work is continuing on the second ambulance and it should be ready within 30 days.

Commissioner Hamlett asked if any grant funds have been obtained for the proposed Senior Center move. Mr. Earp answered that first, there has to be a plan prepared and it will be taken to the Senior Center and Recreation Boards for their approval. Mr. Earp noted that as a result of the Board's action tonight, there will be an appropriation from the Aging Program in the amount of \$12,354 to pay for an architectural plan to submit with the grant application to the NC Department of Environment and Natural Resources.

Commissioner Hamlett questioned whether the newly hired Chief Building Inspector has reported to work. Mr. Earp answered that Mr. Woodrow Bigelow, the newly appointed Chief Building Inspector reported to work this morning.

CLOSED SESSION

Commissioner Ward moved, seconded by Commissioner Hamlett that the Board enter into closed session to consider the compensation, terms of appointment, and performance of an individual public officer (NCGS 143-318.11(a)(6)) and to prevent the disclosure of confidential information that is made privileged or confidential (NCGS 143-318.10(e)). The motion carried unanimously.

REGULAR SESSION

Commissioner Hamlett moved, seconded by Commissioner Vernon to resume regular session. The motion carried unanimously.

THE ADJOURNMENT

At 8:50 p.m. Commissioner Travis moved, seconded by Commissioner Ward to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

Nathaniel Hall
Chairman
